

0321.68542

PATENT APPLICATION jpwIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. Sailor

Serial No.: 10/731,220

Conf. No.: 4581

Filed: 12/9/2003

For: POROUS SILICON-BASED
EXPLOSIVE

Art Unit: 3643

Examiner: Gellner, Jeffrey L.

) I hereby certify that this paper is being deposited with the
) United States Postal Service as FIRST-CLASS mail in an
) envelope addressed to: Mail Stop Amendment, Commissioner
) for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on
) this date.

2/7/06

) Date
) F-CLASS.WCM
) Appr. February 20, 1998

Registration No. 44,159
Attorney for Applicant(s)

RESTRICTION REQUIREMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

(X) Enclosed is a Response to Restriction Requirement.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. 1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

February 7, 2006
300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
Tel.: (312) 360-0080
Fax: (312) 360-9315
Customer Number 24978

GREER, BURNS & ORAIN, LTD.

By:

Brittany C. MacDonald

Registration Number 44,159

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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the office action dated September 15, 2005, Applicant provisionally elects Species I, which includes claims 14, 15 and 17-26, and including generic claims 1-3, 8, 9, 11, 14, 15 and 17-28.

As a preliminary matter, Applicant acknowledges the withdrawal of the September 15, 2005 Restriction Requirement with respect to claims 1-3, 8, 9, 11, 14, 15 and 17-28.

As a further matter, Applicant notes the Examiner's acknowledgment of claims 1-3, 8, 9 and 11 as being generic.

With particular respect to the Examiner's Restriction Requirement with respect to a species election, the Examiner identifies three distinct species within pending claims 1-3, 8, 9, 11, 14, 15 and 17-28:

Species I drawn to a method for detecting a target analyte (claims 14, 15 and 17-26)

Species II drawn to a method to initiate an explosive (claim 27)


Species III drawn to a propulsion system for a MEMS device (claim 28)

Accordingly, Applicant provisionally elects Species I, which is drawn to a method for detecting a target analyte and includes claims 14, 15 and 17-26.

The Examiner is invited to contact the undersigned attorney if an interview would expedite the prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By 

Brittany C. MacDonald
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February 7, 2006
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